

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

STEVEN STAFFORD,

Petitioner,

v.

STANLEY PAYNE,

Respondent.

No. 4:18-cv-01861-RLW

**MEMORANDUM AND ORDER**

This matter comes before the Court on petitioner Steven Stafford's motions to appoint counsel. (Doc. Nos. 2, 5, 6). For the reasons discussed below, the motions will be denied at this time.

"A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). A district court may appoint counsel in a civil case if the court is "convinced that an indigent plaintiff has stated a non-frivolous claim...and where the nature of the litigation is such that plaintiff as well as the court will benefit from the assistance of counsel." *Patterson v. Kelley*, 902 F.3d 845, 850 (8<sup>th</sup> Cir. 2018). When determining whether to appoint counsel for an indigent litigant, a court considers relevant factors such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8<sup>th</sup> Cir. 2006).

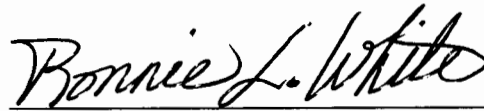
After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. Petitioner has demonstrated, at this point, that he can adequately present

his claims to the Court. The Court will entertain future motions for appointment of counsel as the case progresses.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's motions for appointment of counsel (Doc. No. 2, 5, 6) are **DENIED** at this time.

Dated this 7<sup>th</sup> day of March, 2019.

A handwritten signature in black ink, reading "Bonnie L. White". The signature is written in a cursive, flowing style. The first name "Bonnie" is written in a larger, more prominent script, followed by "L." and "White". The signature is positioned above a horizontal line.

RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE